

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

MARIA ALEJANDRA CELIMEN SAVINO,
et al.,

Petitioners-Plaintiffs,

v.

STEVEN SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617-WGY

PLAINTIFFS' REQUESTS FOR INSPECTION TO DEFENDANT

Pursuant to Federal Rules of Civil Procedure 26 and 34, and the Local Rules of the United States District Court for the District of Massachusetts, Petitioners-Plaintiffs Maria Alejandra Celimen Savino, Julio Cesar Medeiros Neves, and the class of civil immigration detainees that has been certified in this matter (collectively, "Plaintiffs"), by and through their counsel, hereby request that Respondent-Defendant, Steven Souza, permit entry upon the Bristol County House of Correction for a period of time sufficient for the inspection, photographing, videotaping, and measurement of the premise within thirty (30) days of service of this notice.

INSTRUCTIONS

1. Pursuant to Rule 34(b)(2)(B) of the Federal Rules of Civil Procedure, Plaintiffs request that Defendant respond to each request by either stating that inspection and related activities will be permitted as requested or stating with specificity the grounds for objecting to the request.

2. The requests for inspection of premises identified below may take place at a mutually convenient time, but not later than 30 days of service of this notice.

3. The inspection will take no more than three (3) days to complete, provided no unforeseen difficulties arise.

4. The inspection will be conducted by Plaintiffs' counsel accompanied by such experts, consultants, investigators, photographers, and videographers as Plaintiffs' counsel deems appropriate, not to exceed six (6) in number.

5. The inspection may be conducted in the presence of any designated representative of Defendants, provided such representative is identified by Defendant in his response to this demand.

DEFINITIONS

1. The terms "Defendant", "You" and "Your" shall mean and refer to the following individual and his employees, agents, contractors, and officers: Steven Souza, in his official capacity as Superintendent of the Bristol County House of Correction.

2. The terms "Plaintiffs" or "Plaintiff" shall mean and refer to Maria Alejandra Celimen Savino, Julio Cesar Medeiros Neves, and the class of civil immigration detainees that has been certified in this matter.

3. The term "BCHOC" shall mean and refer to all facilities controlled by Defendant including immigration detention, pre-trial detention, and holding for sentenced individuals. BCHOC shall also include each subsidiary wing, department, component, or unit of any facility controlled by Defendant.

4. The term "COVID-19" shall refer to and mean the "coronavirus" and "SARS-CoV-2."

5. The terms "detain" or "detained" shall mean and refer to the holding, control, or transportation of any individual in civil immigration custody.

6. The terms "Detention Facility" or "Facility" includes any premise, cell, building, semi-permanent structure, or enclosure maintained at the BCHOC.

7. The terms “any,” “all,” and “each” shall be interchangeable as necessary to call for the broadest possible response.

8. The words “or” and “and” shall be read in both the conjunctive and disjunctive, as the context may require, to bring within the scope of a Request all responses that might otherwise be construed to be outside the scope of the Request.

9. The terms “include” or “including” mean “including but not limited to” and are not intended in any way to limit the scope of any Request.

10. For the purpose of reading, interpreting, or construing the scope of these Requests, the terms used shall be given their most expansive and inclusive interpretation.

REQUESTS FOR ENTRY AND INSPECTION

REQUEST NO. 1:

Plaintiffs hereby request access to inspect, photograph, videotape, and measure all spaces to which Plaintiffs have, or may have, access within the Facility, including Units A, B, EB, and 2 East. Plaintiffs further request access to inspect, photograph, videotape, and measure any unit, cell, or solitary space in which Plaintiffs have been housed; bathrooms and common areas; kitchens and dining areas; laundry spaces; recreational spaces; and medical units.

REQUEST NO. 2:

Plaintiffs hereby request access to the BCHOC to inspect, photograph, videotape, and measure all spaces to which Defendant's staff or employees who come in contact with Plaintiffs have access within the Facility. This includes, but may not be limited to, access to office spaces; dining spaces; restrooms; staff communal areas; and other such spaces.

Date: July 14, 2020

Respectfully Submitted,

/s/ Michael Brown

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CERTIFICATE OF SERVICE

I hereby certify that, on July 14, 2020, I served these Requests by email to counsel of record for Defendant.

/s/ Michael Brown

Michael Brown (BBO #695276)

[†] Admitted *pro hac vice*.

^{††} Motion for Admission *pro hac vice* pending.

^{*} Motion for law student appearances pending.